

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

In re:

**HEALTH DIAGNOSTIC LABORATORY,
INC., *et al.*,**

Debtors.¹

Chapter 11

Case No.: 15-32919-KRH

Jointly Administered

**ORDER APPROVING STIPULATION REGARDING PROOFS OF
CLAIM FILED BY BECKMAN COULTER, INC. [CLAIM NOS. 1281 & 1130]**

The Court having considered the Stipulation Regarding Proofs of Claim filed by Beckman Coulter, Inc. [Claim Nos. 1281 & 1130] (“**Stipulation**”) [Docket No. 1611]; the Court having determined that good and adequate causes exists for approval of the Stipulation; and the Court having determined that no further notice of the Stipulation must be given, it is hereby:

ORDERED, ADJUDGED, AND DECREED THAT

1. The Stipulation is **APPROVED**.
2. Any and all disputes regarding claims asserted by Beckman Coulter, Inc. (“**Beckman Coulter**”) in the above-captioned jointly administered cases, including but not limited

¹ The Debtors in these cases, along with the last four digits of each Debtor’s federal tax identification number, are: Health Diagnostic Laboratory, Inc. (0119), Central Medical Laboratory, LLC (2728), and Integrated Health Leaders, LLC (2434).

Robert S. Westermann (VSB No. 43294)
Rachel A. Greenleaf (VSB No. 83938)
HIRSCHLER FLEISCHER, P.C.
The Edgeworth Building
2100 East Cary Street
Post Office Box 500
Richmond, Virginia 23218-0500
Telephone: 804.771.9500
Facsimile: 804.644.0957
E-mail: rwestermann@hf-law.com
rgreenleaf@hf-law.com

*Counsel for Richard Arrowsmith
Liquidating Trustee of the HDL Liquidating Trust*

to Claim Nos. 1281 and 1130, shall be addressed concurrently with any mediation scheduled in Adversary Proceeding No. 16-03139.

3. The Order Establishing Procedures for Avoidance Action Adversary Proceedings [Docket No. 1135] (the “**Avoidance Action Procedures Order**”) shall remain in full force and effect, except as expressly modified as follows:

- a. Within fourteen (14) days of the entry of this Order, the parties must have commenced the mediation process;
- b. The mediation must be concluded no later than one hundred twenty (120) days after the entry of this Order; and,
- c. In the event the parties are unable to reach a settlement through the mediation, Beckman Coulter shall have twenty-one (21) days from the date the Mediator files the Mediator’s Report to file a responsive pleading in Adversary Proceeding No. 16-03139.

4. Notwithstanding anything to the contrary herein, the terms of this Order or the Avoidance Action Procedures Order may be further modified upon agreement of the parties or upon further Order of this Court.

5. The hearing on the Fourth Omnibus Objections to Certain (A) Amended and Superseded Claims, (B) No Liability Claims, (C) Unsupported Claims, (D) Improperly Classified Claims, (E) Overstated Claims, (F) Improperly Classified and Overstated Claims, and (G) Satisfied Claims [Docket No. 1532] as to Beckman Coulter only is **ADJOURNED SINE DIE**, pending the conclusion of the above-referenced mediation.

Dated: Nov 30 2016

/s/ Kevin R. Huennekens
UNITED STATES BANKRUPTCY JUDGE

We ask for this:

Entered on Docket: Nov 30 2016

/s/ Robert S. Westermann
Robert S. Westermann (VSB No. 43294)
Rachel A. Greenleaf (VSB No. 83938)
HIRSCHLER FLEISCHER, P.C.
The Edgeworth Building
2100 East Cary Street
Post Office Box 500
Richmond, Virginia 23218-0500
Telephone: (804) 771-9500
Facsimile: (804) 644-0957
E-mail: rwestermann@hf-law.com
rgreenleaf@hf-law.com

*Counsel for Richard Arrowsmith,
Liquidating Trustee of the HDL Liquidating Trust*

Seen and agreed:

/s/ Travis A. Knobbe
Kirk B. Burkley, Esq. (PA I.D.: 89511)
Travis A. Knobbe, Esq. (VSB No. 77914)
Daniel R. Schimizzi, Esq. (PA I.D.: 311869)
BERNSTEIN-BURKLEY, P.C.
707 Grant Street, Suite 2200
Pittsburgh, Pennsylvania 15219
Telephone: (412) 456-8100
Facsimile: (412) 456-8135
Email: kburkley@bernsteinlaw.com
tknobbe@bernsteinlaw.com
dschimizzi@bernsteinlaw.com

Counsel to Beckman Coulter, Inc.

CERTIFICATE OF ENDORSEMENT

I hereby certify, under Local Rule 9022-1, that the foregoing proposed Order has been endorsed by and/or served upon all necessary parties.

/s/ Robert S. Westermann
Counsel